

SECOND CLASS CITIES, PARTY WALLS REGULATED
Act of Jun. 7, 1895, P.L. 135, No. 105
AN ACT

Cl. 11

Regulating the construction, maintenance, alteration and inspection of buildings and party walls in cities of the second class.

Compiler's Note: Section 5 of Act 180 of 1915, which supplemented Act 105, repealed sections 4 through 8, 10 through 39, 41, 42 and 43.

Section 1. Be it enacted, &c., That there shall be in the cities of the second class a bureau of building inspection attached to the department of public safety and under the supervision and control of the director of said department.

Section 2. The principal officer of said bureau shall be known as the Superintendent of Building Inspection and shall be either an architect, a practical builder, civil engineer or carpenter, and the other officers of the said bureau shall consist of an assistant superintendent and such number of inspectors, clerks and messengers or other employees as the said director of the department of public safety shall deem necessary, subject to the approval of the city councils. The assistant superintendent and all of the inspectors shall be either practical builders, civil engineers, carpenters or bricklayers, but shall not all be of the same occupation. None of the aforesaid officers shall be employed or engaged in any other business or be interested in any contract for building or furnishing materials to be used for building in the said cities. The city councils shall from time to time fix their compensation.

Section 3. The clerk of the bureau shall keep a full and complete record of all the business of the said bureau, and perform such other duties as shall be imposed on him, and necessary for a full record of all proceedings in said bureau.

Section 9. Any person or persons who may be now erecting or may desire hereafter to erect any house or building in such cities, and who may desire to erect therewith a party wall to be used in common by the person or persons erecting, and the owner or owners of the adjoining lot may apply to the said Bureau of Building Inspection of such cities signifying his or their intention to erect a party wall, and describing the location of his or their lot and the lot adjoining, partly upon which said party wall is to be erected, with the plans and specifications of the said proposed wall and the materials of which the same is to be built, whereupon it shall be the duty of the said Bureau of Building Inspection to appoint a time at which the Superintendent thereof, or some person by him authorized, will meet the party or parties upon the premises, not more than five days thereafter, of which application a copy, with notice of the time so appointed, shall be served by the said Bureau of Building Inspection upon the occupant of said lot at least three days before the time so fixed. If said lot is unoccupied the said notice shall be served upon the owner or one of the owners

of the same, if he reside within the county in which such city is situate, at least forty-eight hours before the time fixed. Service thereof may be made either personally or by leaving a copy of the notice at the residence of the owner or occupant. If there be no owner or occupant resident in the said county, or if such owner be unknown such notice shall be posted upon the premises and shall be equivalent to a service. At the time appointed, the Superintendent of the said bureau, or some suitable person by him appointed, shall have the line dividing said lot properly surveyed by the bureau of engineering and surveys of such city, and the land upon which the said party wall is to be erected, with the breadth and length of the same, and which wall shall be equally one-half upon the land of each of the adjoining owners, unless the adjoining owners shall object that said wall as proposed is thicker than necessary for the purpose of any ordinary building. If such objection shall be made, then the said Superintendent, or the person by him appointed, shall determine how much of said wall shall be placed upon each of said lots, and shall decide the same within forty-eight hours after the said objection has been made, and his decision shall be final and conclusive upon all parties. The said party wall shall be erected by the party first building at his own cost, including the cost of survey, plans and specifications herein required, and when fully completed the cost of the same shall be ascertained by the said Superintendent, or his agent, who shall, at the same time, determine the proportion thereof to be paid by the adjoining owner of which he shall give a certificate to the builder, which certificate shall be conclusive of all matters therein contained: Provided, That at least forty-eight hours' notice shall be given by said Superintendent or his agent to the owner or owners or occupant of said adjoining lot before said certificate shall be given to the builder of the time and place when he may be heard with reference to the same. The owner or owners of said adjoining lot, his or their heirs, assigns or lessees, shall not use said party wall by building into or against it, or by in any way using it for any new building or structure, until he or they shall have paid to the first builder or builders, his heirs or assigns, the proportion of the cost of said wall as fixed by said Superintendent or his agent, or of so much of it as he may desire to use. Whenever any party wall shall become impaired in whole or in part, or whenever the same shall in whole or in part be unfit or unsafe for the purpose of erecting a new building or buildings upon the adjoining lot and the owner or owners of said wall, or any one of the same, shall desire to have said wall repaired or shall desire, in whole or in part, to tear down said wall and have erected a new party wall for the purpose of then erecting a new building, any one of the owners of said wall may apply, in writing, to the Bureau of Building Inspection, signifying to such bureau his or their desire in reference to said wall, and it shall thereupon be the duty of said Superintendent, or his authorized agent, to examine the same, having given notice as prescribed in this section when said examination shall take place, the said Superintendent, or his agent, shall, within six days after said application has

been made, decide what, if any, alteration or repairs shall be made in said walls and whether it is necessary that the whole or any part, and if so, what part of said party wall shall be torn down and a new one erected for the purpose of new buildings which either party may then desire to erect, which decision, in writing, shall be final and conclusive upon all parties. The said Superintendent, or his agent, shall also determine in what proportion the cost of repairing or of tearing down part or the whole of the old wall and the erection of part or whole of the new wall shall be borne by the respective owners of said lots, which decision shall also be in writing and shall be conclusive upon all parties. It shall be the duty of any court of common pleas of the county within which such city is situate, on application made by the proper parties in interest, to enjoin and restrain any subsequent builder on the adjoining lot from cutting or breaking into or using said new party wall, or any part thereof, until he or they shall have first paid to the first builder, his heirs or assigns, his or their fair proportion of the cost of said party wall or of the cost of, in whole or in part, tearing down the old wall, or, in whole or in part, of erecting a new party wall, as said proportion shall have been estimated by the said Superintendent, or his lawful agent, of the said Bureau of Building Inspection. For the purpose of performing the duties enjoined by this section the said Superintendent and the proper officers of the said Bureau of Building Inspection and their assistants may, at all reasonable hours, enter upon any of the lands within said city for the purpose of performing the duties herein required. All of the necessary expense incurred in and about the performance of the duties named in this section, including the preparation of plans and specifications, survey and draughts, shall be borne and paid by the person or persons at whose instance and request the work shall be done, which expense may be computed in determining the final cost of such party wall. All sums of money so paid shall be returned to the city treasurer of such city by the public officer receiving the same. In all conveyances of houses and buildings the right to and compensation for the party wall built therewith shall be taken to have passed to the purchasers, unless otherwise expressed and reserved, and the owner of the house, for the time being, shall have all the remedies in respect to such party wall as he might have in relation to the house to which it is attached. All party walls authorized hereby shall be built solidly from the cellar bottom to the top of the fire wall.

Section 40. Every theatre or opera house or other building which may be hereafter erected or substantially remodeled, intended to be used for theatrical or operatic purposes, or for public entertainments of any kind where stage scenery and apparatus are employed, shall be built to comply with the requirements of this section. No building, which at the time of the passage of this act is not in actual use for theatrical or operatic purposes, and no building hereafter erected not in conformity with the requirements of this section, shall be used for theatrical or operatic purposes, or for public entertainments of any kind where stage scenery and apparatus are

employed, until the same shall have been made to conform to the requirements of this section; and no building hereinbefore described shall be opened to the public for theatrical or operatic purposes or for public entertainments of any kind where stage scenery or apparatus are employed, until the Bureau of Building Inspection and the Bureau of Fire, respectively, shall have approved the same in writing as conforming to the requirements of this section; and no building now being used for theatrical or operatic purposes, for public entertainments of any kind where stage scenery and apparatus are employed, shall be used as such until such buildings are made to conform as nearly as possible to the requirements of this section and the same approved by the Bureau of Building Inspection. The Director of the Department of Public Safety of the said cities shall refuse to issue any license for any such building, and shall close the same and prevent its opening until a certificate in writing of such approval shall have been given by the Bureau of Building Inspection and the Bureau of Fire, respectively. Every such building shall have at least one front on the street, which front shall be as wide as the widest part of the auditorium or assembly hall, and in such front there shall be suitable means of entrance and exit for the audience. In addition to the aforesaid entrance and exits on the street, there shall be reserved for service, in case of an emergency, an open court or space on the side not bordering on the street where said building is located, or a corner lot, and on both sides of said building where there is but one frontage on the street. The width of such open court or courts shall not be less than seven feet where the seating capacity is not over one thousand people, above one thousand nor more than eighteen hundred people eight feet in width, and above eighteen hundred people ten feet in width. Said open court or courts shall begin on a line with or near the proscenium wall and shall extend the length of the auditorium proper to or near the wall separating the same from the entrance, lobby or vestibule, and said open court, or a separate and distinct corridor from each open court, shall continue to the street through such superstructure as may be built on the street side of the auditorium, with continuous walls of brick or fire-proof materials on each side the entire length of said corridor or corridors, and the ceiling and floors shall be fire-proof. Said corridor or corridors shall not be reduced in width except by the thickness of the outer wall, and there shall be no projection in the same, the outer openings to be provided with doors or gates opening toward the street. During the performance the doors or gates in the corridors shall be kept open by proper fastenings, but at other times they may be closed and fastened by movable bolts or locks. The said open courts and corridors shall not be used for storage purposes or for any purposes whatsoever, except for exit and entrance from and to the auditorium and stage, and must be kept free and clear during the performance. The level of said corridors at the front entrance to the building shall not be greater than one step above the level of the sidewalk where they begin at the street entrance, and the entrance of the main front of the building shall not be on a higher level from the sidewalk than four

steps, unless approved by the Bureau of Building Inspection. To overcome any difference of level existing between exits from the parquet into courts and the level of the said corridors, gradients shall be employed of not over one foot in ten feet with no perpendicular risers. From the auditorium opening into the said open courts or on the side street there shall be not less than two exits on each side in each tier from and including the parquet and each and every gallery. Each exit shall be at least five feet in width in the clear and provided with doors of iron or wood, and, if of wood the doors shall be constructed as hereinbefore in this act described. All of said doors shall open outwardly and must be fastened with movable bolts, the bolts to be kept drawn during performances. There shall be balconies not less than four feet in width in the said open court or courts at each level or tier above the parquet on each side of the auditorium, of sufficient length to embrace the two exits; and from said balconies there shall be staircases extending to the ground level with a rise of not over eight and one-half inches to a step and not less than nine inches tread, exclusive of the nosing. The staircase from the upper balcony to the next below shall not be less than thirty inches in width in the clear, and from the first balcony to the ground three feet in width in the clear where the seating capacity of the auditorium is for one thousand people or less, three feet and six inches in the clear where above one thousand and not more than one thousand eight hundred people, and four feet in the clear where above one thousand eight hundred people and not more than two thousand five hundred people, and not less than four feet six inches in the clear where above two thousand five hundred people. All the said balconies and staircases shall be constructed of iron throughout, including the floors, and of ample strength to sustain the load to be carried by them, and they shall be covered with a metal hood or awning to be constructed as shall be directed by the Bureau of Building Inspection. Where one side of building borders on a street there shall be balconies and staircases of like capacity and kind as hereinbefore mentioned carried to the ground. When located on a corner lot that portion of the premises bordering on the side street and not required for the uses of the theatre may, if such portion be not more than twenty feet in width, be used for offices, stores or apartments, provided the walls separating this portion from the theatre proper are carried up solidly to and through the roof, and that a fire-proof exit is provided from the theatre on each tier equal to the combined width of exits opening on opposite sides in each tier communicating with balconies and staircases leading to the street in a manner provided in this section. Said exit passages shall be entirely cut off by brick walls from said offices, stores or apartments, and the floors and ceilings in each tier shall be fire-proof. Nothing herein contained shall prevent a roof garden, art gallery or rooms for similar purposes being placed above a theatre or public building, provided the floor of the same forming the roof over such theatre or building shall be constructed of iron or steel and fireproof materials, and that said floor shall have no covering boards or sleepers of wood, but be of tile or cement. Every roof over said garden or

rooms shall have all supports and rafters of iron or steel and be covered with glass or fire-proof materials, or both, but no such roof garden, art gallery or room for any public purpose shall be placed over or above that portion of any theatre or other building which is used as a stage. No workshop, storage or general property room shall be allowed above the auditorium or stage or under the same or in any of the fly galleries. All of said rooms or shops may be located in the rear or at the side of the stage, but in such cases they shall be separated from the stage by a brick wall and the openings leading into said portions shall have fire-proof doors on each side of the openings hung to iron eyes built into the wall. No portion of any building hereafter erected or altered, used or intended to be used for theatrical or other purposes as in this section specified, shall be used or occupied as a hotel, boarding or lodging house, factory, workshop or manufactory, or for storage purposes, except as may be hereafter specially provided. Said restriction applies not only to that portion of the building which contains the auditorium and the stage, but also to the entire structure in connection therewith. No store or room contained in the building, or the offices, stores or apartments adjoining as aforesaid, shall be let or used for carrying on any traffic in articles designated as specially hazardous in the classification of the board of fire underwriters, or for manufacturing purposes. No lodging accommodation shall be allowed in any part of the building communicating with the auditorium. Interior walls built of fire-proof materials shall separate the auditorium from the entrance vestibule and from any room or rooms over the same, also from any lobbies, corridors, refreshment or other rooms. All staircases for the use of the audience shall be inclosed with walls of brick or of fire-proof materials, approved by the Bureau of Building Inspection, in the stories through which they pass, and the opening to said staircases from each tier shall be the full width of said staircase. A fire wall built of brick shall separate the auditorium from the stage and the same shall extend at least four feet above the stage roof, or the auditorium roof, if the latter be the higher and shall be coped. Above the proscenium opening there shall be an iron girder covered with fire-proof materials to protect it from the heat. There shall also be constructed a relieving arch over the same, the intervening space being filled in with hard burnt brick of the full thickness of the proscenium wall. Should there be constructed an orchestra over the stage, above the proscenium opening, the said orchestra shall be placed on the auditorium side of the proscenium fire wall and shall be entered only from the auditorium side of said wall. The moulded frame around the proscenium opening shall be formed entirely of fire-proof materials, and if metal be used the metal shall be filled in solid with non-combustible material and securely anchored to the wall with iron. The proscenium opening shall be provided with a fire-proof metal curtain or a curtain of asbestos or similar fire-proof material, approved by the Bureau of Building Inspection, sliding at each end within iron grooves securely fastened to the brick wall and extending into such grooves not

less than six inches on each side. Said fire-proof curtain shall be raised at the commencement of each performance and lowered at the close of said performance, and be operated by approved machinery for that purpose. The proscenium curtains shall be placed at least three feet distant from the foot-lights at the nearest point. There shall be no opening through the proscenium wall, except the curtain opening, and not more than two others, which shall be located at or below the level of the stage. These latter openings shall not exceed twenty-one superficial feet each, which shall have doors of iron or wood in each face of the wall, and if of wood the door shall be lined with tin and securely hung to rabbeted iron frames or rabbets in the brick wall. They shall be hung so as to be opened from either side at all times. Direct access to these doors shall be provided on both sides, and the same shall always be kept free from any incumbrance. Iron ladders or stairs securely fixed to the wall on the stage side shall be provided to overcome any difference of level existing between the floor galleries on the stage side of the fire wall and those on the side of the auditorium. There shall be provided, immediately under the glass of sky-lights, a wire netting, unless the glass contains a wire netting within itself. Over the stage there shall be metal sky-lights of an area or combined area of at least one-eighth of the area of said stage, fitted up with sliding sash and glazed with double thick sheet glass not exceeding one-eighth of an inch thick and each pane thereof measuring not less than three hundred square inches, and the whole of such sky-light shall be so constructed as to open instantly on the cutting or burning of a hempen cord which shall be arranged to hold said sky-lights closed, or some other equally simple approved device for opening them may be provided. All that portion of the stage not comprised in the working of scenery traps and other mechanical apparatus for the presentation of a scene usually equal to the width of the proscenium opening shall be build of iron or steel beams, filled in between with fire-proof material, and all girders for the support of said beams shall be of wrought iron or rolled steel. The fly galleries entire, including pin rails, shall be constructed of iron or steel, and the floors of said galleries shall be composed of iron or steel beams filled with fire-proof materials, and no wood boards or sleepers shall be used as covering over beams, but the said floor shall be entirely fire-proof. The rigging loft shall be fire-proof, except the floor covering the same. All stage scenery, curtains and decorations made of combustible material and all woodwork on or about the stage shall be saturated with some noncombustible material or otherwise rendered safe against fire to the satisfaction of the Bureau of Fire. The roof over the auditorium and the entire main floor of the auditorium and vestibule, also the entire floor of the second story of the front superstructure over the entrance lobby and corridors, and all galleries in the auditorium, shall be constructed of iron or steel and fire-proof materials not excluding the use of wooden floor boards and necessary sleepers to fasten the same to, but such sleepers shall not mean timbers of support. The fronts of each gallery shall be formed of fire-proof materials, excepting the capping, which may be made of

wood. The ceiling under each gallery shall be entirely formed of fire-proof materials. The ceiling of the auditorium shall be formed of fire-proof materials. All lathing whenever used shall be of metal. The partitions in that portion of the building which contains the auditorium, the entrance, vestibule and every room and passage devoted to the use of the audience shall be constructed of fire-proof materials including the furring of outside or other walls. None of the walls or ceilings shall be covered with wood sheeting, canvass or any combustible material, but this shall not exclude the use of wood wainscoting to a height not to exceed six feet which shall be filled in solid between the wainscoting and the wall with fire-proof materials. The wall separating the actors' dressing rooms from the stage and the partitions dividing the dressing rooms, together with the partitions of every passageway from the same to the stage, and all other partitions on or about the stage, shall be constructed of fire-proof material approved by the Bureau of Building Inspection. All doors in any of said partitions shall be of iron or of wood constructed as hereinbefore described. All the shelving and cupboards in each and every dressing room, property room or other storage rooms shall be constructed of metal, slate or some fire-proof material. Dressing rooms may be placed in the fly galleries: Provided, That proper exits are secured therefrom to the fire escapes in the open courts, and that the partitions and other matters pertaining to dressing rooms shall conform to the requirements herein contained, but the stairs leading to the same shall be fireproof. All seats in the auditorium, excepting those contained in the boxes, shall be firmly secured to the floor, and no seat in the auditorium shall have more than six seats intervening between it and an aisle on either side, and no stool or seats shall be placed in any aisle. All platforms in galleries formed to receive the seats shall not be more than twenty-one inches in height of risers not less than thirty inches in width of platform. All aisles on the respective floors in the auditorium having seats on both sides of same shall not be less than three feet wide where they begin, and shall be increased in width toward the exits in the ratio of one and one-half inches to five running feet. Aisles having seats on one side only shall be not less than two feet wide at their beginning and increased in width the same as aisles having seats on both sides. The aggregate capacity of the foyers, lobbies, corridors, passages and rooms for the use of the audience, not including aisle space between seats, shall on each floor or gallery, be sufficient to contain the entire number to be accommodated on said floor or gallery in the ratio of one hundred and fifty superficial feet of floor room for every one hundred persons. Gradients or inclined planes shall be employed instead of steps, where possible, to overcome slight difference of level in or between aisles, corridors and passages. Every theatre accommodating three hundred persons shall have at least two exits; when accommodating five hundred persons at least three exits shall be provided; these exits not referring to or including, the exits to the open court at the sides of the theatre. Doorways of exit or entrance for the use of the public shall not be less than five feet in width, and for every

additional one hundred persons, or portion thereof to be accommodated in excess of five hundred an aggregate of twenty inches additional exit width must be allowed. All doors of exit or entrance shall open outwardly and be hung to swing in such manner as not to become an obstruction in a passage or corridor, and no such doors shall be closed and locked during any representation or when the building is open to the public. Distinct and separate places of exit and entrance shall be provided for each gallery above the first. A common place of exit and entrance may serve for the main floor of the auditorium and the first gallery, provided its capacity be equal to the aggregate capacity of the outlets from the main floor and the said gallery. No passage leading to any stairway communicating with any entrance or exit shall be less than four feet in width in any part thereof. All stairs within the building shall be constructed of fire-proof material throughout. Stairways serving for the exit of fifty people must, if straight, be at least four feet wide between railings or between walls, and, if curved or winding, five feet wide, and for every additional fifty people to be accommodated six inches must be added to their width. In no case shall the risers of any stairs exceed seven and a half inches in height nor shall the treads, exclusive of nosings, be less than ten and one-half inches wide in straight stairs. In circular or winding stairs the width of the tread at the narrowest end shall not be less than seven inches. Where the seating capacity is for more than one thousand people there shall be at least two independent staircases with direct exterior outlets provided for each gallery in the auditorium, where there are not more than two galleries, and the same shall be located on opposite sides of said gallery. Where there are more than two galleries, one or more additional staircases shall be provided, the outlets from which shall communicate directly with the principal exit or other exterior outlets. All said staircases shall be of width proportioned to the seating capacity as elsewhere herein prescribed. Where the seating capacity is for one thousand people or less, two direct lines of staircases only shall be required, located on opposite sides of the galleries, and in both cases shall extend from the sidewalk level to the upper gallery, with outlets for each gallery to each of said staircases. At least two independent staircases with direct exterior outlets shall also be provided for the service of the stage and shall be located on the opposite side of the same. All inside stairways leading to the upper galleries of the auditorium shall be enclosed on both sides with walls of fire-proof materials. Stairs leading to the first or lower gallery must be left open on one side, in which case they must be constructed as herein provided for similar stairs leading from the entrance hall to the main floor of the auditorium, but in no case shall stairs leading to any gallery be left open on both sides. When straight stairs return directly on themselves, a landing of the full width of both flights without and steps shall be provided. Stairs turning at an angle shall have a proper landing without winders introduced at said turn. In stairs when two side flights connect with one main flight no winders shall be introduced and the width of the main flight

shall be at least equal to the aggregate width of the side flights. Circular or winding stairs shall have proper landings introduced at convenient distances. All enclosed staircases shall have on both sides string hand rails firmly secured in the wall about three inches therefrom and about three feet above the stairs, but said hand rails shall not run on level platforms and landings where the same is more in length than the width of the stairs. All staircases six feet and over in width shall be provided with a centre hand rail of hard wood or metal not less than two inches in diameter placed at a height of about three feet above the centre of the treads, and supported on wrought iron or brass standards of sufficient strength, placed not nearer than four feet apart and securely bolted to the treads or risers or stairs or both, and at the head of each flight of stairs on each landing the post or standard shall be at least six feet in height to which the rail shall be secured. Every steam boiler which may be required for heating or other purposes shall be located outside of the building and the space allotted to the same shall be enclosed by walls of masonry on all sides, and the ceiling of such space shall be constructed of fire-proof material. All doorways in said walls shall have iron doors. No floor register for heating shall be permitted. No coil or radiator shall be placed in any aisle or passageway used as an exit where it forms an obstruction, but all said coils and radiators shall be placed in recesses formed in the wall or partition to receive the same. All supply, return or exhaust pipes shall be properly incased and protected where passing through floors or near wood work. Stand-pipes of two and one-half inches in diameter shall be provided with hose attachments on every floor and gallery, as follows, namely: One on each side of the auditorium in each tier, and at least one in the property room and one in the carpenter's shop, if the same be contiguous to the building. All such stand-pipes shall be kept clear from obstruction. Said pipes shall be separate and distinct, receiving their supply of water direct from the steam pumps, and shall be fitted with the regulation couplings of the Bureau of Fire and shall be kept constantly filled with water by means of an automatic steam pump or pumps of sufficient capacity to supply all the lines of hose when operated simultaneously, and said pump or pumps shall be supplied from the street main and be ready for immediate use at all times during a performance in said building. A separate and distinct system of automatic sprinklers, with fusible plugs, approved by the Bureau of Fire, supplied with water from a tank located on a roof over the stage and not connected in any manner with the stand-pipes, shall be placed up and around the proscenium opening and on the ceiling or roof over the stage, at such intervals as will protect every square foot of the stage service when said sprinklers are in operation. Automatic sprinklers shall also be placed wherever practicable under the stage and in the carpenter shop, paint room, store rooms and property rooms. A proper and sufficient quantity of two and one-half-inch hose fitted with the regulation couplings of the Bureau of Fire, and with nozzles attached thereto and with hose spanners at each outlet, shall always be kept attached to each hose attachment. There shall

always be kept in readiness for immediate use on the stage at least four casks full of water and two buckets to each cask. Said casks and buckets shall be painted red. There shall also be provided hand pumps or other portable fire extinguishing apparatus, and at least four axes, and two twenty-five-foot hooks, two fifteen-foot hooks and two ten-foot hooks on each tier or floor of stage. Every portion of the building devoted to the uses or accommodation of the public, also all outlets leading to the streets and including the open courts and corridors, shall be well and properly lighted during every performance, and the same shall remain lighted until the entire audience has left the premises. At least two or more oil lamps on each side of the auditorium in each tier shall be provided on fixed brackets not less than seven feet above the floor. Said lamps shall be filled with whale or lard oil and shall be kept lighted during each performance, or in place of said lamps candles shall be provided. All gas or electric lights in the halls, corridors, lobby or any other part of the said buildings used by the audience, except the auditorium, must be controlled by a separate shut-off located in the lobby and controlled only in that particular place. Gas mains supplying the building shall have independent connections for the auditorium and the stage, and provision shall be made for shutting off the gas from the outside of the building. When interior gaslights are not lighted by electricity, other suitable appliances, to be approved by the said bureau, shall be provided. All suspended or bracket lights surrounded by glass in the auditorium or in any part of the building devoted to the public, shall be provided with proper wire netting underneath. No gas or electric light shall be inserted in the walls, woodwork, ceilings or in any part of the buildings unless protected by fire-proof materials. All lights in passages and corridors in said buildings, and wherever deemed necessary by the Bureau of Building Inspection, shall be protected by proper wire net work. The footlights, in addition to the wire net work, shall be protected by a strong wire guard not less than two feet distant from said footlights, and the trough containing said footlights shall be formed of and surrounded by fire-proof materials. All stage lights shall be incandescent electric lights, where the current can be obtained, and shall be constructed according to the best known methods and subject to the approval of the said bureau, and shall be suspended for ten feet by wire rope. All ducts or shafts used for conducting heated air from the main chandelier, or from any other light or lights, shall be constructed of metal and made double with air space between. All stage lights shall have strong metal wire guards or screens not less than ten inches in diameter, so constructed that any material in contact therewith shall be out of the reach of the flames of said stage lights and must be soldered to the fixtures in all cases. A diagram or plan of each tier, gallery or floor, showing distinctly the exits therefrom, shall be printed in a legible manner on the programme of the performance. Every exit shall have over the same inside, the word EXIT, painted in legible letters not less than eight inches high. It shall be within the power of the mayor after full report from the department of public safety, to cause the

closing up of any theatre, opera house or public hall where, in the judgment of the mayor and the department of public safety, the ingress and egress is not reasonably safe for the safe and speedy exit of the audience in case of fire or panic. It shall be and is made the exclusive duty of the said Bureau of Building Inspection to enforce each and all provisions of this section.

Section 44. The violation of any of the provisions of this act shall subject all persons, firms or corporations, so offending, to a penalty not exceeding one hundred dollars for each and every offense, to be recovered summarily before any magistrate or court having jurisdiction, and which penalty, when recovered, shall be paid into the treasury of such cities. All actions for penalties, however, shall be in the name and for the use of such city.

Section 45. It shall be the duty of the councils of the said cities to enact such ordinances as may be necessary for the proper enforcement of the provisions of this act, and prescribe reasonable penalties for the non-compliance therewith.

Section 46. All acts or part of acts inconsistent herewith, or supplied hereby, are hereby repealed.